

# MILWAUKEE COUNTY DEPARTMENT OF ADMINISTRATIVE SERVICES PROCUREMENT DIVISION

BID NUMBER
661019
DAIRY PRODUCTS
OPENING DATE: 10/19/2006

Buyer No. 08

# MILWAUKEE COUNTY DEPARTMENT OF ADMINISTRATIVE SERVICES DIVISION OF PROCUREMENT

STEVEN SLAWNY 414-223-8128

City Campus 2711 W. Wells Street 5th Floor Milwaukee, Wisconsin 53208

Note: ALL BIDS/QUOTES/RFPs are to be downloaded from the Milwaukee County website <a href="http://www.milwaukee.gov">http://www.milwaukee.gov</a>

Bid Number 661019

Posting Date: September 27,

2006

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# **COMMODITY:**

DAIRY PRODUCTS

### **TIME AND PLACE:**

Sealed bids for furnishing the following will be received at the office of the Milwaukee County Procurement Office, 2711 W. Wells Street, 5th Fl. Milwaukee, Wisconsin 53208 until 1:30 P.M. on. Bids will be opened and read the same day at 2:30 P.M. at the Procurement Division Office.

We agree to furnish the above according to your specif	fications, at prices hereon and according to	conditions on this form.
ONLY CASH DISCOUNTS OF 30 DAYS OR MORE SH	HALL BE DEDUCTED IN DETERMININ	G THE LOW BIDDER
Cash discount for payment following acceptance of good	ods and receipt of invoice	odays.
Delivery shall be made not later than work d	ays after receipt of order. (FOB Destinati	on) (Freight Included)
BIDS NOT MANUALLY SIGNED SHALL NOT BE ACC	CEPTED	
Firm Name		
Address		
City & State	Zip _	
Phone No.		
Fax No.		
Name/Title		
Signature	Date	e
Email		

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### **SPECIAL INSTRUCTIONS:**

PREVIOUS BID 621011

FURNISH THE FOLLOWING TO VARIOUS MILWAUKEE COUNTY DEPARTMENTS FOR THE PERIOD OF 11-01-06 TO 10-31-07.

PRICES CAN BE ADJUSTED ON THE FIRST OF EVERY MONTH; THE PRICES MUST THEN REMAIN FIRM FOR THE ENTIRE MONTH. VENDORS SHALL BID PRICES BASED ON SEPTEMBER 1ST. NEW CONTRACT TO START NOVEMBER 1ST. VENDOR MUST SUBMIT TWO (2) COMPLETED COPIES OF

ENTIRE BID PACKET. VENDOR MUST MEET ALL REQUIREMENTS OR BID WILL BE REJECTED.

### **BID NOTES:**

#### **DBE Participation**

Pursuant to Milwaukee County general ordinance, 32.25 (7) (d), not withstanding any other provisions to the contrary, the purchasing administrator or designee shall have the authority when a contract is being awarded through the open market, informal, and formal bidding processes, (all other circumstances being equal), to award a contract to any Certified Disadvantaged Business Enterprise, (DBE), that has submitted a responsive, responsible bid, quote, or proposal that is not more that five, (5) percent higher than apparent low price/bid. This provision is limited to DBE firms certified by the Milwaukee County Community Business Development Partners Program, Dane County, City of Madison, and Wisconsin Unified Certification Program prior to the date prices are received.

### **Cooperative Purchase**

Cooperative I urena	asc	
,		icing from any contract that may result from this bid to other V.A.L.U.E. members theastern Wisconsin area?
Yes	No	
request. If, however,	, you agree to ext	s bid by Milwaukee County is NOT contingent upon your agreement to the above end to any other agencies, each agency will be responsible for issuing and ulting purchase order.
RENEWAL CLAUSE-	- "SAID CONTRA	CT WILL BE FOR A TERM OF ONE
YEAR. THE CONTR.	ACT MAY BE EX	TENDED FOR AN ADDITIONAL TERM OF
ONE YEAR UNDER	THE SAME TERM	S AND CONDITIONS UPON THE MUTUAL
CONSENT OF THE C	COUNTY AND VE	NDOR, AND AT THE END OF SAID
RENEWAL TERM AN	ND UNDER THE S	SAME CIRCUMSTANCES, THE OPTION TO
RENEW FOR ANOTH	HER YEAR TERM	THEREAFTER MAY BE EXERCISED."

HOWEVER, 90 DAYS PRIOR TO THE EXPIRATION OF THE YEARLY TERM,

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THE VENDOR IS TO SEND A LETTER TO THE PROCUREMENT DIVISION STATING A WILLINGNESS TO RENEW.

THE AWARD OF THIS BID WILL BE MADE IN THE AGGREGATE TO THE LOWEST QUALIFIED BIDDER.

IF NO PRICE PROTECTION IS GRANTED ON CURRENT PRICE LIST BID, IT SHALL BE THE VENDOR'S RESPONSIBILITY TO FURNISH NEW PRICE LISTS IN THE ORIGINAL QUANTITY FURNISHED. MILWAUKEE COUNTY SHALL NOT BE OBLIGATED TO PAY ADDITIONAL PRICE INCREASE UNTIL RECEIPT OF NEW PRICE LISTS.

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## **BID ITEMS:**

43	Bid Items	
000 C 001	COUNTY WIDE CITY CAMPUS.  M1031612127 U/M EACH REQUISITION #: RX10500000026386  QTY: 0 DAIRY-MILK  HOMOGENIZED 3.25% BUTTERFAT MINIMUM 5-GAL./CONT.	
		\$ EACH
000 C 002	COUNTY WIDE CITY CAMPUS.  M1031612128 U/M GAL REQUISITION #: RX10500000026386 QTY: 0 DAIRY-MILK  HOMOGENIZED 3.25% BUTTERFAT GAL.CONT.	
		\$ GAL
000 C	COUNTY WIDE CITY CAMPUS.  M1031616618 U/M GAL REQUISITION #: RX10500000026386  QTY: 0 DAIRY-MILK  TWO PERCENT	
		\$ GAL
000 C 004	COUNTY WIDE CITY CAMPUS.  M1003703318 U/M GAL REQUISITION #: RX10500000026386  QTY: 0 BEVERAGE FRUIT DRINK  FRUIT PUNCH OR ORANGE, 4 GAL/CASE	
		\$ GAL
000 C 005	COUNTY WIDE CITY CAMPUS.  M1046207590 U/M EACH REQUISITION #: RX10500000026386  QTY: 0 ICE CREAM & FROZEN NOVELTIES  VANILLA MIX 0 5% IN 2 GAL	
		\$ EACH
000 C 006	COUNTY WIDE CITY CAMPUS.  M1046200605 U/M EACH REQUISITION #: RX10500000026386 QTY: 0 ICE CREAM & FROZEN NOVELTIES CHOCOLATE MIX 0 5% IN 2 GAL	
		\$ EACH

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000 C 007	COUNTY WIDE CITY CAMPUS.  M1031612125 U/M EACH REQUISITION #: RX10500000026386  QTY: 0 DAIRY-MILK  HOMOGENIZED 3.25% BUTTERFAT MIN.1/2-GAL.PLSTC.CONT	
		\$ EACH
000 C	COUNTY WIDE CITY CAMPUS.  M1031615853 U/M EACH REQUISITION #: RX10500000026386  QTY: 0 DAIRY-MILK  SKIM-1/2 GAL-PLASTIC COATED CNT W/POURING SPOUT	
		\$ EACH
000 C	COUNTY WIDE CITY CAMPUS. M1031610857 U/M QT REQUISITION #: RX10500000026386 QTY: 0 DAIRY-MILK BUTTERMILK-QUARTS	
		\$ QT
000 C	COUNTY WIDE CITY CAMPUS. M1031586510 U/M QT REQUISITION #: RX10500000026386 QTY: 0 DAIRY-CREAM WHIPPING-36% 16 QT/CS-PLASTIC COATED CNT W/POURING SPOUT	
		\$ QT
000 C	COUNTY WIDE CITY CAMPUS. M1031582215 U/M QT REQUISITION #: RX10500000026386 QTY: 0 DAIRY-CREAM HALF & HALF PLASTIC-COATED-CTN. 12PCT. FAT 1QT.	
		\$ QT
000 C 012	COUNTY WIDE CITY CAMPUS.  M1031611905 U/M QT REQUISITION #: RX10500000026386 QTY: 0 DAIRY-MILK GOAT	
		\$ QT
000 C 013	COUNTY WIDE CITY CAMPUS. M1031582210 U/M PT REQUISITION #: RX10500000026386 QTY: 0 DAIRY-CREAM HALF & HALF PLASTIC-COATED-CTN. 12PCT. FAT 1PT.	
		\$ PT

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EACH

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000 COUNTY WIDE CITY CAMPUS. 021 M1003704394 U/M EACH REQUISITION #: RX10500000026386		
OTY: 0 BEVERAGE FRUIT DRINK		
LEMONADE-1/2 PT-PLASTIC COATED CNT-W/POURING SPOUT		
	<b>o</b>	EACH
	<b>a</b>	EACH
000 COUNTY WIDE CITY CAMPUS.		
022 M1031605616 U/M EACH REQUISITION #: RX10500000026386 QTY: 0 DAIRY-YOGURT		
PLAIN 8-OZ./CUP		
	\$	EACH
000 COUNTY WIDE CITY CAMPUS.		
023 M1031602630 U/M EACH REQUISITION #: RX10500000026386		
QTY: 0 DAIRY-YOGURT 8 OZ. LOW- CAL		
	\$	EACH
000 COUNTY WIDE CITY CAMPUS.		
024 M1031586365 U/M EACH REQUISITION #: RX10500000026386		
QTY: 0 DAIRY-CREAM SOUR-32 LB CONTAINER, AT LEAST 18% BUTTERFAT		
SOUR-32 LD CONTAINER, AT LEAST 10% BUTTERFAT		
	\$	EACH
	· · · · · · · · · · · · · · · · · · ·	
000 COUNTY WIDE CITY CAMPUS . 025 M1031586395 U/M EACH REQUISITION #: RX10500000026386		
QTY: 0 DAIRY-CREAM		
SOUR OR CULTURED MIN.BUTTERFAT 18% 5-LB./CONT.		
	•	EACH
	<u> </u>	EACH
000 COUNTY WIDE CITY CAMPUS.		
026 M1031561299 U/M EACH REQUISITION #: RX10500000026386 QTY: 0 DAIRY-CHEESE		
COTTAGE-5 LB CNT-SMALL/LARGE CURD-CREAMED-GRADE A		
	\$	EACH
	<b></b>	EACH
000 COUNTY WIDE CITY CAMPUS.		
027 M1031561317 U/M EACH REQUISITION #: RX10500000026386 QTY: 0 DAIRY-CHEESE		
COTTAGE-LOW FAT, GRADE, 5 LB CONTAINER		
	ø.	EACH
	\$	EACH

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000 C 028	COUNTY WIDE CITY CAMPUS. M1031582406 U/M CASE REQUISITION #: RX10500000026386 QTY: 0 DAIRY-CREAM 1/2 &1/2 PURE 3/8-OZ.SIZE BY VOLUME 12% BUTTERFAT 348/CS		
		\$	CASE
000 C 029	COUNTY WIDE CITY CAMPUS.  M1031561321 U/M EACH REQUISITION #: RX10500000026386 QTY: 0 DAIRY-CHEESE CREAM3-LB. CONTAINER		
		\$	EACH
000 C	COUNTY WIDE CITY CAMPUS.  M1074314612 U/M CASE REQUISITION #: RX10500000026386 QTY: 0 SHORTENING & OLEO  MARGARINE CUPS-5 GRAM 600/CS		
		\$	CASE
000 C 031	COUNTY WIDE CITY CAMPUS.  M1031514840 U/M LB REQUISITION #: RX10500000026386  QTY: 0 DAIRY BUTTER  REDDIES 15-LBS./CASE		
		\$	LB
000 C 032	COUNTY WIDE CITY CAMPUS. M1031517615 U/M LB REQUISITION #: RX10500000026386 QTY: 0 DAIRY BUTTER SOLID-UNSALTED - 1 LB CARTONS		
		\$	LB
000 C 033	COUNTY WIDE CITY CAMPUS.  M1074314614 U/M CASE REQUISITION #: RX10500000026386 QTY: 0 SHORTENING & OLEO MARGARINE REDDIES-1080/CASE		
		\$	CASE
000 C 034	COUNTY WIDE CITY CAMPUS . M1074314617 U/M LB REQUISITION #: RX10500000026386 QTY: 0 SHORTENING & OLEO MARGARINE-SOLID		
		<b>\$</b>	LB

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\_\_ QT

000 C 035	OUNTY WIDE CITY CAMPUS. M1033603100 U/M QT REQUISITION #: RX10500000026386 QTY: 0 EGGS & EGG PRODUCTS EGGNOG	
		\$ QT
000 C 036	OUNTY WIDE CITY CAMPUS. M1031511015 U/M LB REQUISITION #: RX10500000026386 QTY: 0 DAIRY BUTTER 55 LB	
		\$ LB
000 C 037	OUNTY WIDE CITY CAMPUS.  M1031610010 U/M EACH REQUISITION #: RX10500000026386  QTY: 0 DAIRY-MILK  1/2 GAL. LO FAT CHOCOLATE	
		\$ EACH
000 C 038	OUNTY WIDE CITY CAMPUS. M1033603127 U/M QT REQUISITION #: RX10500000026386 QTY: 0 EGGS & EGG PRODUCTS EGG NOG-QUARTS LITE	
		\$ QТ
000 C 039	OUNTY WIDE CITY CAMPUS.  M1031611910 U/M EACH REQUISITION #: RX10500000026386  QTY: 0 DAIRY-MILK  HOMOGENIZED 1% 1/2-PT.PLASTIC COATED CONT.W/SPOUT	
		\$ EACH
000 C 040	OUNTY WIDE CITY CAMPUS. M1031611020 U/M PT REQUISITION #: RX10500000026386 QTY: 0 DAIRY-MILK MILK, CHOCOLATE MALT FLAVOR	
		\$ PT
000 C 041	OUNTY WIDE CITY CAMPUS .  M1031612310 U/M QT REQUISITION #: RX10500000026386  QTY: 0 DAIRY-MILK  MILK, LACTADE TREATED, 1%	

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000 C 042	OUNTY WI M103161 QTY: 0	IDE CITY CA U/M PT 1 DAIRY-MIL	REQUISITION	#: RX105000	000026386						
		2%									
									\$		PT
000 C 043		DAIRY-MIL	REQUISITIO		00000026386						

#### GENERAL DIRECTIONS FOR BIDDING

#### 1. How to Bid

All Bids shall be submitted on the official form furnished by the *Procurement Division* and identified with the firm name and manually signed. Unsigned bids shall not be considered. If this form does not provide sufficient space, bidders shall attach a sheet supplying the additional information. This sheet shall also be signed as required above to properly identify attachments.

#### 2. How to Amend a Bid Before Due Date and Time

After a bid has been filed at the *Office of the Procurement Division* and the bidder desires to amend this bid, he may do so before the due date and time by filing an amendment fully identified with the original bid submitted by number, commodity and opening date. All of the conditions and provisions of the Invitation to Bid shall be in effect. *This must be submitted before the date and time for receipt of bid* as set forth in the Invitation to Bid. No *bids or amendments shall be accepted after the bid opening date and time specified.* 

#### TERMS AND CONDITIONS OF BID

#### 1. Award

The *Purchasing Administrator* reserves the right to award a separate contract for each item unless otherwise specified in the bid; any group of items, or all items; or to reject any or all bids or any portion of any or all bids when, in the opinion of the *Purchasing Administrator*, the best interest of the County will be served thereby.

#### 2. Tie bids

If there are tie bids, award shall be made in accordance with tie bid provisions as outlined in Chapter 32 of the Milwaukee County General Ordinances.

#### 3. Changes in specifications not permitted

Do not change any of the terms of the specifications. Such changes shall constitute a counter offer. Any bids received with such changes shall be rejected.

#### 4. Execution of contract

Successful bidder agrees to enter into contract with Milwaukee County and, when required, to furnish a performance bond of surety company authorized to do business within the State of Wisconsin in the amount specified on the Invitation to Bid, and to complete the affixing thereon of the necessary signatures of contractor and surety and return to the *Procurement Division* within fifteen working days of written request to do so.

#### 5. **Delays in delivery**

Delays in delivery caused by bona fide strikes, government priority or requisition, riots fires, sabotage acts of God or any other delay deemed by the Purchasing Administrator to clearly and unequivocally beyond the contractor's control, shall be recognized by the County. The vendor may be relieved of meeting delivery time specified, if vendor files with *Purchasing Administrator* a request for extension of time, signed by a responsible official, giving in detail all the essential circumstances which, upon verification by the Purchasing administrator, Justifies such extension.

#### 6. Patents

This order is given upon the condition that Milwaukee County is protected by the vendor against all liability, loss or expenses by reasons of any patent or trademark litigation now existing or hereafter instituted, arising out of any alleged infringement of patent or trademark on merchandise hereby ordered, or any part thereof.

#### 7. Non-Discrimination

The contractor, lessee, purchaser, etc., agrees not to discriminate against any employee or applicant for employment because of race, religion, color, national origin, age, sex, or handicap, which shall include, but not limited to: recruitment or recruitment advertising; employment; upgrading; demotion or transfer; lay-off or termination; rates of pay or other forms of compensation; selection for training, including apprenticeship. A violation of this provision shall be sufficient cause for the County to terminate the contract, lease, order, etc. pursuant to County Ordinance 56.17 – Non Discriminatory Contracts.

#### 8. **Delivery terms**

Bids shall include delivery costs to the specified delivery point, all transportation charges prepaid and borne by you.

#### 9. Taxes

Milwaukee County is exempt from Federal Excise Tax and Wisconsin State Sales Tax. Bids should be submitted without such taxes.

#### 10. Code of Ethics

Milwaukee County Code of Ethics states in part, "No person may offer to give to any County Officer or employee or his/her immediate family, and no County Officer, or employee or his/her immediate family may solicit or receive anything of value pursuant to an understanding that such officer's or employees' vote, official action or judgment would be influenced thereby."

#### 11. New and Unused

Bids not meeting the minimum requirements specified shall be rejected. All merchandise shall be new and unused unless specified in the specifications.

#### 12. Funding

If funds are not appropriated for payment of this contract, Milwaukee County may terminate contract at the end of any fiscal year upon 30 days written notice without any early termination penalties, charges, fees or costs of any kind to Milwaukee County.

#### 13. Retention of Records

Contractor agrees to retain all records related to this contract for a period of at least three years from final date of payment under this contract

#### 14. Audit of Records

Contractor shall permit the authorized representatives of the County Auditor, after reasonable notice, the right to inspect and audit all data and records of contractor related to carrying out the contract for a period of up to three years after completion of the contract. If subcontractors and/or associates are utilized, prime contractor shall have a written contractual agreement with County approved subcontractors and/or associates which bind the subcontractor to the same audit contract terms and conditions as the prime contractor.

#### **SECTION 32.20**

(14) Computation of time limits expressed in hours or days shall exclude Saturdays, Sundays, and legal holidays.

#### 32.26 PROTEST AND APPEAL PROCEDURE.

Protests to any sealed bid procurement or award recommended by the Purchasing Administrator may be made by any bidder and/or using department head as follows:

#### (1) Prior to Bid Opening:

- (a) Protests to form and content of bid documents shall be received by the Purchasing Administrator not less than five days prior to the time scheduled for bid opening. A protest shall be in writing and state the reason for it.
- (b) The Purchasing Administrator shall review protests and if modification is necessary, the bid opening date shall be extended and addenda containing the changes shall be sent to each bidder. If modification is rejected, the protestor shall be notified. The decision of the Purchasing Administrator is final.

#### (2) After Bid Opening:

- (a) Protests concerning irregularities on sealed bid opening procedures or compliance by bidders with bid documents shall be received by the Purchasing Administrator within 72 hours after time of bid opening
- (b) When a sealed bid is to be awarded to other than low bidder, all bidders shall be notified in writing by certified mail, return receipt requested, of the proposed award. Protests to the award must be delivered to the Purchasing Administrator within 72 hours after receipt of notice.
- (c) A Protest under either (a) or (b) must be in writing and state the reason for it. The Purchasing Administrator shall review the protest and notify the protestor of a decision in writing by certified mail, return receipt requested within five days. No contract shall be awarded while protest is pending. A protest, which is untimely, fails to state the reason for it or should have been made prior to bid opening, is invalid. The decision of the Purchasing Administrator disqualifying the protest for these reasons is final and cannot be appealed.

#### (3) Appeals to Purchasing Standardization Committee

- (a) Protests from decision of the Purchasing Administrator shall be made to the Purchasing Standardization Committee by delivering a written request for appeal hearing both to the Procurement Division and the Purchasing Standardization Committee within 72 hours after receipt of the Purchasing administrator's decision.
- (b) The request shall state the grounds upon which the protest is based and shall request an appeal hearing. No contract shall be awarded until final disposition of the protest.
- (c) The Chairman of the Purchasing Standardization Committee shall notify all interested persons of the time and place of the hearing.
- (d) The Purchasing Standardization Committee shall affirm, reverse or modify the decision of the Purchasing Administrator and its decision shall be final

Written appeals to the Purchasing Standardization Committee Shall be addressed as follow:

Purchasing Standardization Committee C/O Milwaukee County Procurement Division 2711 W. Wells St, 5<sup>th</sup> Floor Milwaukee, WI 53208